

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ANDY TORRES,)	
)	
Plaintiff,)	Civil Action No. 03 - 1003
)	
v.)	Judge Arthur J. Schwab
)	Magistrate Judge Lisa Pupo
LT. GREG MOHRING; SGT. ROBERT)	Lenihan
STAFFORD; C.O. POWELL; C.O.)	
MARSH; CAPT. MCCOWN; SGT.)	
MURRAY; NURSE ARNOLD; C.O.)	
SCHAFER; C.O. SGT. NOVAK; SUPT.)	
JOHNSON; DEP. SUPT. STICKMAN;)	
MATTHEWS, Hearing Examiner;)	
FERSON, Hearing Examiner,)	
)	
Defendants.)	

ORDER

AND NOW, this 12th day of December, 2005;

Plaintiff having filed a Motion to Compel, (Doc. No. 51) Defendants having responded, and a conference being held on this date,

IT IS HEREBY ORDERED that the Motion is **GRANTED** in part and **DENIED** in part. More specifically, **IT IS ORDERED AS FOLLOWS:**

1. Defense counsel will maintain in his possession the "D. Everette videotape" and will make it available for use at trial, without waiving any possible objections thereto;

2. Defendants will continue to make best efforts to locate the photographs of Plaintiff's injuries from the incident in question;

3. Defense counsel will provide copies of both the internal and external medical records for Corrections Officer and Defendant Powell, to the extent that they exist, relative to the July 20, 2001 incident, with personal information redacted.

IT IS FURTHER ORDERED that both parties will file Pre-Trial Narrative Statements no later than January 26, 2006.

IT IS FURTHER ORDERED that in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1)(A), and Local Rule 72.1.3, the parties are allowed ten (10) days from the date of service to file an appeal from this order to the District Court. Any opposing party shall have seven (7) days from the date of service of the appeal to respond thereto. Failure to timely file an appeal may constitute a waiver of any appellate rights.



LISA PUPO LENIHAN
U.S. Magistrate Judge

cc: ANDY TORRES
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